

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:22CR71
	)	
vs.	)	
	)	
ROBERT L. CARODINE and	)	ORDER
JAMES T. SMITH,	)	
	)	
Defendants.	)	

This matter is before the court on the defendant James T. Smith's unopposed Motion to Continue Trial [105]. Counsel needs additional time to prepare for trial. Counsel for co-defendant Robert L. Carodine has been contacted and do not object to the continuance. For good cause shown,

**IT IS ORDERED** that the Motion to Continue Trial [105] is granted, as follows:

1. The jury trial, **for both defendants**, now set for July 17, 2023, is continued to **August 21, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and August 21, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).

**DATED: July 5, 2023.**

**BY THE COURT:**

**s/ Michael D. Nelson**  
**United States Magistrate Judge**